

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

IVAN DEJESUS VALTI GALVAN,

Plaintiff,

v.

V. MILASICH,

Defendant.

Case No. 1:22-cv-00974-JLT-SAB (PC)

ORDER DISMISSING ACTION FOR
FAILURE TO STATE A COGNIZABLE
CLAIM FOR RELIEF, AND DIRECTING
CLERK OF COURT TO CLOSE THE
ACTION

(Doc. 14)

The assigned magistrate judge screened the First Amended Complaint and found Plaintiff failed to state a cognizable claim. (Doc. 14.) In addition, the Court determined that further leave to amend would be futile given Plaintiff's failure to cure the deficiencies previously identified to him. (*Id.*)

The Court served the Findings and Recommendations on Plaintiff. It contained notice that any objections were to be filed within 14 days after service. (*Id.* at 6.) The Court advised Plaintiff that "failure to file objections within the specified time may result in the waiver of the 'right to challenge the magistrate's factual findings' on appeal." (*Id.* quoting *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) To date, Plaintiff has not filed objections, and the time to do has expired.

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1 According to 28 U.S.C. § 636 (b)(1)(C), this Court conducted a *de novo* review of the
2 case. Having carefully reviewed the entire matter, the Court concludes the magistrate judge's
3 Findings and Recommendations are supported by the record and by proper analysis. Thus, the
4 Court **ORDERS**:

- 5 1. The Findings and Recommendations issued on September 16, 2022 (Doc. 14) are
6 **ADOPTED IN FULL.**
- 7 2. The instant action is **DISMISSED** for failure to state a cognizable claim for relief.
- 8 3. The Clerk of Court is directed to close this action.

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10 IT IS SO ORDERED.

11 Dated: **October 14, 2022**


UNITED STATES DISTRICT JUDGE